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Patent, Trademark and Copyright Causes
 Unfair Competition, Trade Secrets,
 Licensing and Litigation

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*Practice limited to Matters and Proceedings before
 Federal Courts and Agencies; not Admitted in DC

** Registered Patent Agent: not Admitted in DC

July 9, 2004

Mail Stop AMENDMENT
 The Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

set #10 / 806,130

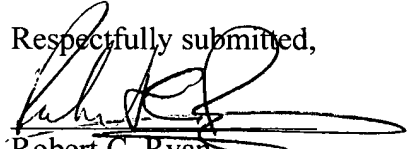
In re Application of: Server Technology, Inc.
 Title: Remote Power Control System
 Filed: March 23, 2004
 Attorney Docket Number: 40026XY

Dear Sirs:

The following is submitted with the Patent and Trademark Office for the appropriate action:

1. An Information Disclosure Statement by Applicant – Non Patent Literature Documents (1 page).
2. Three (3) Non Patent Literature References (6 pages).
3. A Remarks Regarding Information Disclosure Statement (3 pages).
4. A return receipt postcard.

Respectfully submitted,


 Robert C. Ryan
 Registration No.: 29,343

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 108(a))

I hereby certify that, on the date shown below, this correspondence is being:

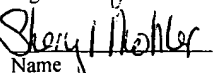
MAILING

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 Signature


 Name

7/9/04
 Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ewing, et al.

Serial No.: 10/806,130

Filing Date: March 23, 2004

For: REMOTE POWER CONTROL SYSTEM

REMARKS REGARDING INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants submit the following Remarks regarding, and in conjunction with, a
concurrently filed Information Disclosure Statement.

REMARKS

In a concurrently filed Information Disclosure Statement, the Applicants have submitted an operations manual, an advertisement, and a circuit diagram for a device called "Versatimer," which was manufactured and sold for a period of time by the Applicants.

Versatimer was a product a user could program to switch attached devices off and on according to a user defined schedule. *See* Advertisement at page 1. A user could program the Versatimer switch by attaching a computer or a modem to the device. *Id.* The Versatimer switch included a number of power outlets, including one outlet called a "smart current port." *Id.* at page 2. The Versatimer switch was capable of determining whether a device attached to the smart current outlet was switched off or on. *Id.* If the attached device was switched off, the Versatimer switch would override the programmed schedule and turn off power to the remaining power outlets. *Id.* In this way, a user could turn off all devices attached to the Versatimer switch without having to access the Versatimer switch itself. However, the Versatimer switch did not communicate or output to a user (transmit outside the unit, such as on its modem line) the on/off status of the appliance attached to the smart current outlet. The determination of the status of the appliance attached to the smart current outlet was purely used internally by the Versatimer switch to determine when to turn off the remaining power outlets.

CONCLUSION


Applicants respectfully submit that the pending claims are allowable over the Versatimer switch and the other art of record. Should the Examiner wish to discuss the application, or the presently submitted IDS and Remarks, the Examiner is encouraged to contact Applicants' attorney, Robert C. Ryan, at (775)-824-0104.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Dated: July 9th, 2004
1030 15th Street N.W., 6th Floor
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775-824-0104 (Tel)
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By: _____


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PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/806,130
		Filing Date	March 23, 2004
		First Named Inventor	Carrell Ewing et al.
		Art Unit	
		Examiner Name	
Sheet 1	of 1	Attorney Docket Number	40026XY

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	SERVER TECHNOLOGY, INC., VersaTimer Operations Manual, Thank you for purchasing the VersaTimer, 3 pages	
	2	SERVER TECHNOLOGY, INC., VersaTimer, A 7-Day, Programmable Power Scheduler, 1994, 2 pages	
	3	SERVER TECHNOLOGY, INC., Intel2 Power Module - 12v schematic, March 8, 1999, 1 page	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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